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5 **NOT FOR PUBLICATION**

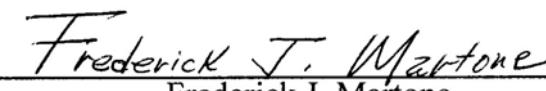
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 United States of America,) CR-02-1090-PCT-FJM
9 Plaintiff,)
10 vs.) **ORDER**
11 Edward Dee,)
12 Defendant.)
13 _____)

14 The court has before it defendant Edward Dee's motion to vacate, set aside or
15 correct sentence pursuant to 28 U.S.C. § 2255 (doc. 81), the United States' response (doc.
16 86), and the report and recommendation of the United States Magistrate Judge,
17 recommending that the motion be denied (doc. 87). Defendant has failed to file
18 objections, and the time for filing them has expired. Therefore, we adopt the Magistrate
19 Judge's recommendation in full. See United States v. Reyna-Tapia, 328 F.3d 1114, 1121
20 (9th Cir. 2003) (interpreting 28 U.S.C. § 636 (b)(1)(C)).

21 Accordingly, **IT IS ORDERED DENYING** defendant Edward Dee's motion to
22 vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 (doc. 81) and
23 **DISMISSING** the civil action opened in connection with this motion (CV-06-2206-PCT-
24 FJM).

25 DATED this 6th day of August, 2007.
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28 Frederick J. Martone
United States District Judge